

R. Smith III, Adaptive Reuse Permit – 139, 145, 151, 157, 163 Buffalo River Rd & 2 Lot Lines for
Mixed Use – Commercial, Residential, and Entertainment in D-IL Zone
(Hrg 07/02)(Sou)

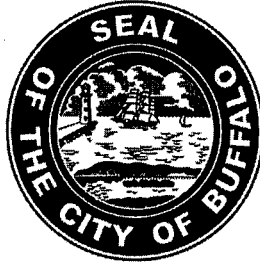
REFERRED TO THE COMMITTEE ON LEGISLATION
AND THE CITY PLANNING BOARD

OFFICE OF THE CITY CLERK

GERALD A. CHWALINSKI
City Clerk
Registrar of Vital Statistics

TIANNA M. MARKS
Deputy City Clerk

MILLY CASTRO
Deputy City Clerk Vital Statistics
Deputy Registrar of Vital Statistics



65 NIAGARA SQUARE
ROOM 1308 CITY HALL
BUFFALO, NEW YORK 14202
PHONE: (716) 851-5431
FAX: (716) 851-4845

NOTICE OF COMPLETE APPLICATION

THIS IS TO ACKNOWLEDGE THAT I HAVE BEEN INFORMED AS TO THE TIME AND PLACE FOR THE PUBLIC HEARING REGARDING:

139, 145, 151, 157, 163 Buffalo River Rd & 2 Lot Lines
Adaptive Reuse - Mixed Use Commercial + Residential + Entertainment in
D-1L Zone

To be held in the Council Chamber, 13th Floor, City Hall On:

★ Tuesday, July 2, 2019 At 1:00 pm

★ *PLANNING BOARD MEETING WILL BE AT 4:00 pm Room 901 ON Mon. July 1, 2019

*FAILURE TO APPEAR BEFORE THE PLANNING BOARD AND THE COMMON COUNCIL WILL DELAY YOUR PROJECT

Phone number for Planning Board 851-5085

I am also informed that this is the only notice that the petitioner and/or owner will receive, and that if I am not the owner or petitioner, I will inform said owner, petitioner or his/her agent of the above.

Signed *Paul Lang* (Agent/Owner)
Print Name Paul Lang Phone # 716-842-3165
Date 6-19-19

ATTENTION

CONTACT THE COUNCILMEMBER IN YOUR DISTRICT South - Scanlon
IF APPROVED AT THE COMMITTEE MEETING THE ITEM WILL BE REFERRED
TO THE FULL COUNCIL ON 7/9/19
IF APPROVED AT THE FULL COUNCIL MEETING THE ITEM WILL GO TO THE MAYOR FOR APPROVAL
THE MAYOR HAS UNTIL 7/22/19 TO RETURN THE ITEM TO THE CITY CLERK'S OFFICE

City of Buffalo

65 Niagara Square
 Buffalo, NY 14202
 (716)851-4949 Fax (716)851-5472

GC Permit Application

Report Date 6/19/2019

Page 1 of 2

A/P # GC19-9479498

Application Information

Processed 6/19/2019 1:52:27PM By tpuglisi

Issued By

Final By

Type of Work CONVERT # Plans 3 Declared Valuation \$150,000,000.00

Priority # Pages 0 Calculated Valuation \$0.00

Actual Valuation \$0.00

Description of Work

ADAPTIVE REUSE PERMIT REQUIRED / CONVERT EXISTING WAREHOUSE/GRAIN ELEVATORS TO A MIXED USE
 COMMERCIAL AND RESIDENTIAL " 250 " DWELLING UNITS *** PLANS REQUIRED *** SILO CITY WITH ADDRESSES
 OF 139, 145, 151, 157, & 163 BUFFALO RIVER AND TWO LOT LINES

Property Information

Address 139 BUFFALO RIVER SBL 1221400003002000
 BUFFALO, NY 14210

Location

Applicants

Contact ID 12019198 Primary Y Name RIVERSULLIVAN INC

Mailing Address 658 OHIO ST BUFFALO, NY 14203

Day Phone

Contact ID 11966427 Primary N Name TO BE BID

Mailing Address CITY HALL BUFFALO, NY 14202

Day Phone (585)288-8790

Fees	Status	Paid Date	Amount
Application Fee	U		\$50.00

Plan Reviews

City of Buffalo

65 Niagara Square
Buffalo, NY 14202
(716)851-4949 Fax (716)851-5472

GC Permit Application**Report Date** 6/19/2019

Page 2 of 2

Building	Y	Electrical	Y	Fire	Y
Sewer	Y	HVAC	Y		
Plumbing	Y	Elevator	N		

Prior Approvals

Address	Common Council	Restricted Use
Asbestos	Curb Cut	S.E.Q.R.A.
Assessment	Encroach	Thruway
City Wide	Human Services	Trees



Adaptive Reuse Permit Application to the Common Council
City of Buffalo, New York

Applicant Information

Applicant

Identify the person or organization requesting the Adaptive Reuse Permit:

Name Richard S. Smith III Cell Phone 716-849-4799
 Organization Riversullivan, Inc. Business Phone _____
 Mailing Address 658 Ohio Street Fax Number 716-849-0401
 City Buffalo State NY Zip 14203 Email ricksmith@rigidized.com

Agent

Identify any person or organization representing the applicant in this matter:

Name Marvin Wilmoth Cell Phone 917-331-0136
 Organization Generation Development Group, LLC Business Phone _____
 Mailing Address 111 NE 1st Street, 8th Floor Fax Number _____
 City Miami State FL Zip 33132 Email marvin@generationdg.com

Property Information

Assessed Address: 139, 145, 151, 157, 163 Buffalo River Road & 2 Lot Lines
 Size of Building (square feet): 585,466 sq.ft.
 Zone: D-IL Zone Overlay (if applicable): Coastal Overlay District
 Current Use: Warehouse / Grain & Feed Elevator (Vacant)
 Historic Designation of Property: American Elevator Complex (USN 02940.024125)
 Council District: South



Adaptive Reuse Permit Application to the Common Council

City of Buffalo, New York

Adaptive Reuse Request

Current use(s): Warehouse / Grain & Feed Elevators (Vacant)

Proposed use(s): Mixed-Use Development - Commercial (Office), Entertainment, Residential

Justification (attach additional information if necessary):

We are proposing to revitalize this currently under utilized community asset with a mix of uses including residential. To do so we are seeking the addition of residential uses to the Zoning classification presented in the City Zoning Ordinance. In exchange for this addition we will revoke rights to other alternative zoning programming which isn't applicable to this project now or into the future. See attached documentation depicting environment and specifics of our request.

Project Description

Detail hours of operation: Commercial - 8AM-7PM, Entertainment - 10AM-12^{AM}PM, Residential - 24 hrs

List/describe adjacent uses: Light Industrial, Logistics, Recreation, Entertainment

Describe any sound, odor, vibration, light, or other potential disrupting operations of the use and provide hours of the day and days of the week which they would occur:

No public nuisance elements are anticipated as a result of anticipated redevelopment efforts.

Describe whether or not the use will be harmonious with surrounding neighborhood:

Proposed project will be contextually appropriate to surrounding neighborhood both adjacent and walking proximity

Will any permanent features of the building be removed? Yes No

If yes, describe: Project intends to utilize Historic Tax Credit financing, and therefore any / all design elements critical to the understanding of the building will be retained and subject to SHPO / NPS review and approval

Attach additional information for this section if necessary.

Disclosure Affidavit

I maintain that the information provided above is true and accurate to the best of my knowledge:

Property owner or applicant name (print): Marvin Wilmoth Date: 6/17/2019

Property owner or applicant signature: *Marvin Wilmoth*



Carmina • Wood • Morris^{DPC}

487 Main Street Suite 600 Buffalo, New York 14203 P: 716.842.3165 F: 716.842.0263 W: cwm-ae.com

June 18, 2019

City of Buffalo Common Council
City of Buffalo Planning Board
1308 / 901 City Hall
Buffalo, New York 14202

Ref: 139, 145, 151, 157 & 163 Buffalo River Road, and 2 Lot Lines
Buffalo, New York 14203
Zoning Map Amendment Application

To Whom it May Concern;

Please accept this Adaptive Reuse Permit Application on behalf of our client, Generation Development Group, LLC who represent Rick Smith, owner of the various parcels, commonly referred to as Silo City. We are jointly requesting that the City of Buffalo, through City Planning Board and City Common Council, review and approve our Adaptive Reuse Permit for the following parcels; 139, 145, 151, and 163 Buffalo River Road, as well as 2 Lot Line. Should you find our application complete we would be happy to appear, at their convenience, before City of Buffalo Planning Board and / or City of Buffalo Common Council public hearing, at which time we will present the project and address any Board concerns. All of the aforementioned parcels are identified, per the New York State Cultural Resource Information System (CRIS) as National Register listed, or eligible for listing.

Currently classified a D-IL Light Industrial site, the zoning recognizes the lineage of the grain elevators and warehouses that proliferate the parcels. However, it is somewhat limiting, given the accepted principal uses identified in the Unified Development Ordinance, to the potential programming options of the National Registry listed structures, specifically in regards to residential occupancies. Therefore, we are seeking City of Buffalo approval for inclusion of residential as a potential principle use, specifically Dwelling - Multiple Units as defined by the ordinance. In exchange for this addition there are some potential principle uses permitted per the D-IL that we will concede such as Recycling Facility, Storage Yard, Dispatch Facility, Heliport, Helistop, Passenger Terminal, Truck Stop, and Utilities & Services Major as they are not consistent with the future vision for Silo City and would likely conflict with the historic restoration of the structures. Similarly D-IL designation carries the potential for an Electronic Message Center (EMC) as a part of the potential site signage which we do not feel would be appropriate given the historic setting or it's adjacency to the Buffalo River.

On the following pages we've included supportive materials such as site plans, existing photographs and aerials of the structures, as well as immediate and contextual maps depicting existing adjacent zoning.

Architecture Engineering Interior Design

We look forward to the City of Buffalo's thoughtful review of our application and request an audience at future meetings to address any comments. If you require any additional materials, please do not hesitate to call our office, 716-842-3165 ext. 118.

Respectfully submitted,

Carmina Wood Morris, DPC

A handwritten signature in black ink that reads "Paul R. Lang". The signature is written in a cursive, flowing style.

Paul R. Lang, AIA
Senior Associate

C: RIVERSULLIVAN, Inc. c/o Rick Smith
Generation Development, LLC

Short Environmental Assessment Form

Part 1 - Project Information

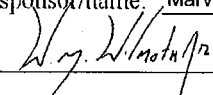
Instructions for Completing

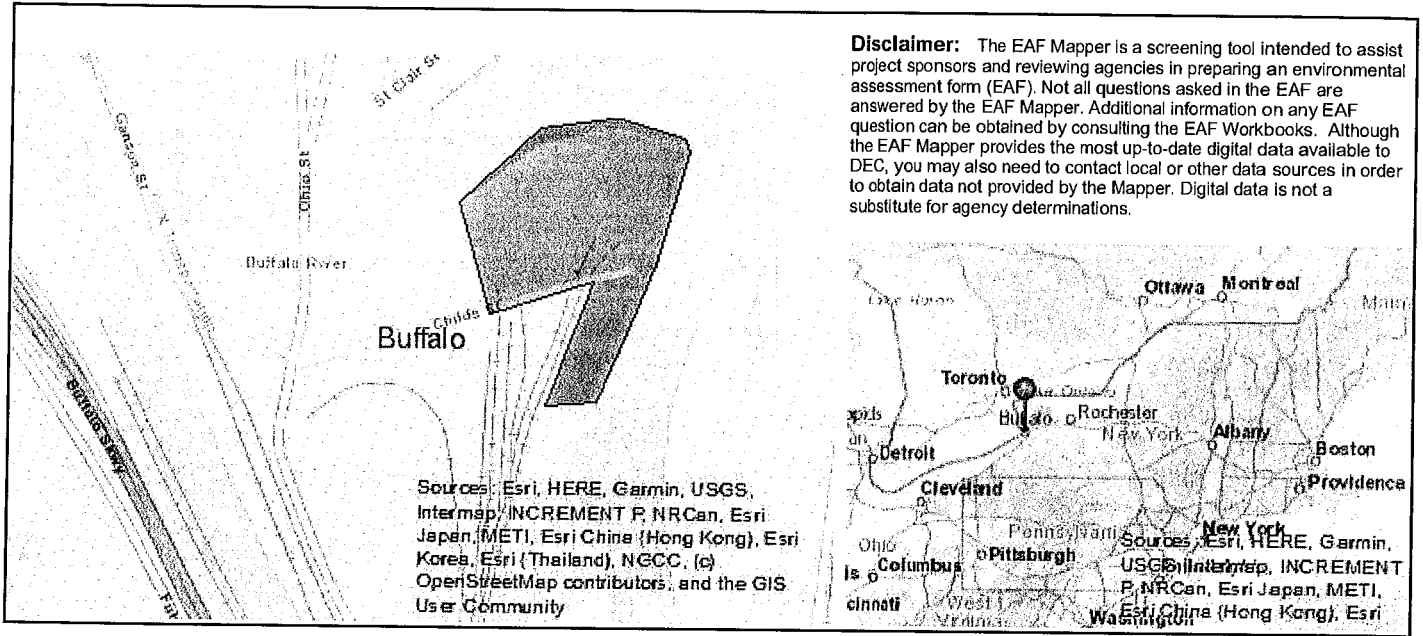
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Silo City			
Name of Action or Project: 139, 145, 151, 157, & 163 Buffalo River & 2 Lot Line			
Project Location (describe, and attach a location map): Southern Bank of the Buffalo River, encompassing predominately northern side of Childs St. and portions of southern side			
Brief Description of Proposed Action: The reactivation of former warehouses and silos into a vibrant mixed-use community for creatives. The development will include a mix of residential, retail, commercial and community spaces. The design will incorporate features to maximize energy efficiency and minimize water consumption. Green spaces will be incorporated into the site plan for community use.			
Name of Applicant or Sponsor: Generation Development Group, LLC c/o Marvin Wilmoth		Telephone: 917-331-0136 E-Mail: marvin@generationdg.com	
Address: 111 NE 1st Street, 8th Floor			
City/PO: Miami		State: FL	Zip Code: 33132
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: New York State Preservation Office, National Park Service		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 13.44 acres b. Total acreage to be physically disturbed? _____ +/- 7.25 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 13.44 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Proposed project will be in compliance with all state energy code requirements. _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The Buffalo River immediately borders the parcels to the north and east. Proposed project does not propose to modify or alter the existing shoreline in any way. _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
Project site is an existing developed site. Impervious percentage of site is anticipated to be reduced as result of new landscape elements. All run off will be directed to existing conveyance systems		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lead and mercury were identified but not above commercial soil cleanup objectives. Remediation work appears warranted in the SB-8 Arsenic Area due to the elevated total arsenic concentrations identified in that specific area.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Marvin Wilmoth</u> Date: <u>6/18/19</u>		
Signature: <u></u> Title: <u>Managing Principal</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes